

RECEIVED
CENTRAL FAX CENTER

6- 7-05; 10:15AM;SSMP FAX

:5167424366

1 / 38

JUN 07 2005

400 Garden City Plaza, Ste 300
Garden City, New York 11530
(516) 742-4343 - Telephone
(516) 742-4366 - Facsimile
e-mail: Intprop@ssmp.com

**SCULLY, SCOTT, MURPHY
& PRESSER**

Fax

To: Examiner R. S. Landsman
USPTO
Art Unit: 1647
Confirmation No. 9285

From: Xiaochun Zhu, Ph.D.

Fax: (571) 273-8300

Pages: 38 (including cover)

Phone:

Date: June 7, 2005

Re: Ian S. Zagon, et al.
U.S. Patent Application No. 09/431,843
Filed: November 2, 1999
Our Docket: 13038

CC:

Urgent **For Review** **Please Comment** **Please Reply** **Please Recycle**

The following is being transmitted herewith:

1. Amendment Transmittal (in dup)
2. Amendment Under 37 C.F.R. §1.121
3. Exhibit A
4. Certificate of Transmission by Facsimile (in dup)

CONFIDENTIALITY: The documents accompanying this facsimile transmission may contain information which is either confidential or legally privileged and is intended only for the authorized use of the individual or entity named above without right or publication or republication, dissemination or disclosure except as expressly set forth or established by course of dealing. All rights are reserved. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or use of the contents of this facsimile is prohibited. If you received this transmission in error, please notify us immediately by telephone to arrange for return of the documents.

If you have any problems concerning this facsimile, please call (516) 742-4343 and ask for Anna Baerga.

AMENDMENT TRANSMITTAL LETTER (Small Entity)

Applicant(s): Ian S. Zagon, et al.

Docket No.
13038

Application No. 09/431,843	Filing Date November 2, 1999	Examiner R. S. Landsman	Customer No. 23389	Group Art Unit 1647	Confirmation No. 9285
-------------------------------	---------------------------------	----------------------------	-----------------------	------------------------	--------------------------

Invention: NOVEL NUCLEIC ACID MOLECULES ENCODING OPIOID GROWTH FACTOR RECEPTORS

COMMISSIONER FOR PATENTS:**RECEIVED
CENTRAL FAX CENTER****JUN 07 2005**

Transmitted herewith is an amendment in the above-identified application.

- Applicant claims small entity status. See 37 CFR 1.27

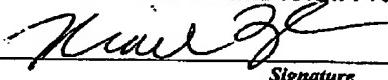
The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	24 -	37 =	0	x \$25.00	\$0.00
INDEP. CLAIMS	4 -	29 =	0	x \$100.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00

- No additional fee is required for amendment.
 Please charge Deposit Account No. _____ in the amount of _____
 A check in the amount of _____ to cover the filing fee is enclosed.
 The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 19-1013/SSMP
 Any additional filing fees required under 37 C.F.R. 1.16.
 Any patent application processing fees under 37 CFR 1.17.
 Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



Signature

Xiaochun Zhu

Registration No. 56,311
 Scully, Scott, Murphy & Presser
 400 Garden City Plaza-Ste 300
 Garden City, New York 11530
 (516) 742-4343

cc: XZ:ab

I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____

(Date)

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence

P11SMALL/REV09

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)

Applicant(s): Ian S. Zagon, et al.

Docket No.

13038

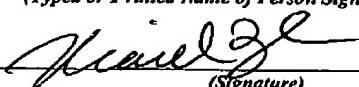
Application No.
09/431,843Filing Date
November 2, 1999Examiner
R. S. LandsmanGroup Art Unit
1647

Invention: NOVEL NUCLEIC ACID MOLECULES ENCODING OPIOID GROWTH FACTOR RECEPTORS

I hereby certify that this Amendment Under 37 C.F.R. 1.121
(Identify type of correspondence)
is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. (571) 273-8300)
on June 7, 2005
(Date)

Xiaochun Zhu

(Typed or Printed Name of Person Signing Certificate)



(Signature)

Note: Each paper must have its own certificate of mailing.

AMENDMENT TRANSMITTAL LETTER (Small Entity)				Docket No. 13038																																					
Applicant(s): Ian S. Zagon, et al.																																									
Application No. 09/431,843	Filing Date November 2, 1999	Examiner R. S. Landsman	Customer No. 23389	Group Art Unit 1647	Confirmation No. 9285																																				
Invention: NOVEL NUCLEIC ACID MOLECULES ENCODING OPIOID GROWTH FACTOR RECEPTORS																																									
<u>COMMISSIONER FOR PATENTS:</u>																																									
Transmitted herewith is an amendment in the above-identified application.																																									
RECEIVED CENTRAL FAX CENTER JUN 07 2005																																									
<p><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p> <p>The fee has been calculated and is transmitted as shown below.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="6" style="text-align: center;">CLAIMS AS AMENDED</th> </tr> <tr> <th></th> <th>CLAIMS REMAINING AFTER AMENDMENT</th> <th>HIGHEST # PREV. PAID FOR</th> <th>NUMBER EXTRA CLAIMS PRESENT</th> <th>RATE</th> <th>ADDITIONAL FEE</th> </tr> </thead> <tbody> <tr> <td>TOTAL CLAIMS</td> <td>24 -</td> <td>37 =</td> <td>0</td> <td>x \$25.00</td> <td>\$0.00</td> </tr> <tr> <td>INDEP. CLAIMS</td> <td>4 -</td> <td>29 =</td> <td>0</td> <td>x \$100.00</td> <td>\$0.00</td> </tr> <tr> <td colspan="5">Multiple Dependent Claims (check if applicable) <input type="checkbox"/></td> <td>\$0.00</td> </tr> <tr> <td colspan="5" style="text-align: center;">TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</td> <td style="text-align: right;">\$0.00</td> </tr> </tbody> </table> <p> <input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 19-1013/SSMP <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. </p> <p>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p><i>Xiaochun Zhu</i> Signature</p> <p>Dated: June 7, 2005</p> <div style="border: 1px solid black; padding: 5px; width: fit-content;"> <p>I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____ (Date)</p> <p style="text-align: right;">X</p> <p><i>Xiaochun Zhu</i> Signature of Person Mailing Correspondence</p> <p><i>Xiaochun Zhu</i> Typed or Printed Name of Person Mailing Correspondence</p> </div> <p>cc: XZ:ab</p>						CLAIMS AS AMENDED							CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE	TOTAL CLAIMS	24 -	37 =	0	x \$25.00	\$0.00	INDEP. CLAIMS	4 -	29 =	0	x \$100.00	\$0.00	Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00	TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00
CLAIMS AS AMENDED																																									
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE																																				
TOTAL CLAIMS	24 -	37 =	0	x \$25.00	\$0.00																																				
INDEP. CLAIMS	4 -	29 =	0	x \$100.00	\$0.00																																				
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00																																				
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00																																				

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)

Applicant(s): Ian S. Zagon, et al.

Docket No.

13038

Application No.
09/431,843Filing Date
November 2, 1999Examiner
R. S. LandsmanGroup Art Unit
1647

Invention: NOVEL NUCLEIC ACID MOLECULES ENCODING OPIOID GROWTH FACTOR RECEPTORS

I hereby certify that this Amendment Under 37 C.F.R. 1.121
(Identify type of correspondence)
is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. (571) 273-8300)
on June 7, 2005
(Date)

Xiaochun Zhu*(Typed or Printed Name of Person Signing Certificate)*
(Signature)

Note: Each paper must have its own certificate of mailing.

RECEIVED
CENTRAL FAX CENTER

JUN 07 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Ian S. Zagon, et al. **Examiner:** R. S. Landsman
Serial No.: 09/431,843 **Art Unit:** 1647
Filed: November 2, 1999 **Docket:** 13038
For: NOVEL NUCLEIC ACID MOLECULES
ENCODING OPIOID GROWTH FACTOR
RECEPTORS **Dated:** June 7, 2005

Confirmation No.: 9285

Commissioner for Patents
Alexandria, VA 22313-1450

AMENDMENT UNDER 37 C.F.R. §1.121

Sir:

In response to the Office Action dated May 3, 2005 and in accordance with 37 C.F.R. §1.121, Applicants submit the following amendment for entry in the above-identified case.

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office on the date shown below.

Dated: June 7, 2005


Xiaochun Zhu